



TSBDE CASE FILE NOS. 2014-00088; 2014-00640; 2014-01504 & 2014-01557  
IN THE MATTER OF LICENSE NO. 20239 ISSUED TO CLINTON HERZOG, DDS

**NON-DISCIPLINARY REMEDIAL PLAN**

On June 3, 2016, this Remedial Plan was issued by the Texas State Board of Dental Examiners (Board) to resolve the above-referenced matters. This Remedial Plan is issued under the authority of Tex. Occ. Code § 263.0077 and based on the allegation that violations of the laws or rules regulating the practice of dentistry have occurred.

**Allegations**

Based on an investigation, Board staff alleged that Clinton Herzog, DDS (Respondent) advertised services that do not meet the requirements of 22 Tex. Admin. Code §§ 108.53(c)(2), (d)(3), (4), and 108.57(a). Specifically, Respondent advertised that dental offices where his associates practice, and Respondent does not practice, are "elite" providers of Invisalign services when only Respondent himself is the actual "elite" provider. Additionally, Respondent advertised dental services that were free or discounted without disclosing the prices of associated services that may be required to receive the offer.

**Requirements**

1. Within sixty (60) days of the date of issuance of this Remedial Plan by the Board, Respondent SHALL provide proof to the Compliance Division of the Board sufficient to show the successful completion of three (3) hours of pre-approved continuing education courses in the area of Ethics. Courses that are not pre-approved are presumed insufficient.
2. Within sixty (60) days of the date of issuance of this Remedial Plan by the Board, Respondent SHALL remit a five hundred dollar (\$500.00) check or money order to the Board to recover the costs of administering this Remedial Plan.
3. Failure to comply with the requirements of this Remedial Plan may result in disciplinary action against Respondent's license.

**Acknowledgement**

I, Clinton Herzog, DDS, have read and understand the foregoing Remedial Plan, and I agree to its requirements. I neither admit nor deny the allegations made in this Remedial Plan. I voluntarily waive my right to a formal adjudicatory hearing to contest this matter, and I acknowledge that this Remedial Plan is final and non-appealable.

**THIS REMEDIAL PLAN IS NON-DISCIPLINARY.**

**THIS REMEDIAL PLAN IS PUBLIC INFORMATION.**

**THIS REMEDIAL PLAN IS A SETTLEMENT AGREEMENT UNDER RULE 408 OF THE TEXAS RULES OF EVIDENCE.**

  
Clinton Herzog, DDS, Respondent

02/15/16  
Date

STATE BOARD OF DENTAL EXAMINERS  
SIGNED this 3rd day of June 2016.

  
Steven J. Austin, DDS, Presiding Officer

  
David Tillman, DDS, Board Secretary